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Date: July 21, 2004

OFFICIAL

TO: Examiner Lori A. Clow

Fax Number: 703.872.9306 Company: U.S. Patent and Trademark Office

FROM: Susan M. Dadio

Telephone: 703.838.6531 Our Reference: 026350-060

STANCO FAX
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U.S. PATENT AND TRADEMARK OFFICE
JULY 21 2004

Sent By: Christine Becker Number of Pages Including Cover: 15

Message

Per our discussion today, please find enclosed a copy of an Amendment and Reply and Petition for Extension of Time, we filed with the U.S. Patent and Trademark Office on February 17, 2004. Also enclosed is the PTO-stamped postcard receipt.

If you have any questions, please do not hesitate to contact me.

Patent Response Postcard

Inventor: Shigeori Takenaka
Docket No.: 026350-060

Appl. No.: 09/902,533 Filing Date: July 12, 2001
Working Atty.: RGM/JAT/JI Date: February 17, 2004

Dkt. Clerk Initials



The following was/were received in the U.S. Patent and Trademark Office on the date stamped herein:

- Amendment or Response
- Preliminary Amendment
- Amendment/Reply Transmittal Letter
- Petition for 1 Month Extension of Time
- Submission of Formal Drawings w/ sheet(s) of drawings (Fig(s), 1-)
- Request for Approval of Drawing Changes w/ sheet(s) of red ink drawings
- Notice of Appeal
- Brief for Appellant
- Request for Oral Hearing
- Reply Brief
- Response to Restriction Requirement or Election of Species
- Terminal Disclaimer
- Certificate Under 37 C.F.R. 3.73(b)

- Transmittal Letter for Missing Parts of Application
- Executed Declaration/Power of Attorney
- Assignment/Assignment Recordation Form Cover Sheet (PTO-1595)
- Submission of Certified Copy of Priority Document w/ certified copy(ies)
- Information Disclosure Statement Transmittal
- Information Disclosure Citation (PTO-1449)
- Information Disclosure Statement w/ document(s)
- Request for Corrected Notice of Recordation of Assignment w/Copy of Notice
- Request for Continued Examination
- Issue Fee Transmittal
- Status Inquiry
- Submission of Corrected Drawings

- Payment of Issue Fee and Authorization to charge Deposit Account
- Request for Refund
- Request for Corrected Filing Receipt w/copy of Official Filing Receipt
- Substitute Specification (clean/markred copies)
- Check for \$ 55.00 is enclosed
- Check for \$ is enclosed
- Charge \$ to Deposit Account
- Filed by Certificate of Mail
- OIA
- FEB 17 2004
- JC34
- PATENT & TRADEMARK OFFICE

If submitting documents via Express Mail, provide the Express Mailing Label No. below:

Express Mail Mailing Label No.

DATE:

2/17/04

164184

| GL CODE | CLIENT CODE | DESCRIPTION | INVOICE NO. | INVOICE AMT. |
|---------|-------------|-----------------------|-------------|--------------|
| | 026350.060 | 264 Extension of Time | 026350-060 | \$55.00 |

BURNS, DOANE, SWECKER & MATHIS, LLP.
ALEXANDRIA, VIRGINIA 22313-1404

Patent
Attorney Docket No. 026350-060

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Shigeori Takenaka

Application No.: 09/902,633

Filing Date: July 12, 2001

Group Art Unit: 1631

Examiner: Lori A. Clow

Confirmation No.: 2719

Title: PROBE FOR DETECTING A HIGHLY ORDERED STRUCTURAL SITE OF A SINGLE STRANDED NUCLEIC ACID OF A GENE, AND A METHOD AND A DEVICE FOR DETECTING THE SAME

AMENDMENT/REPLY TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Enclosed is a reply for the above-identified patent application.

- A Petition for Extension of Time is also enclosed.
 Terminal Disclaimer(s) and the \$55.00 (2814) \$110.00 (1814) fee per Disclaimer due under 37 C.F.R. § 1.20(d) are also enclosed.
 Also enclosed is/are _____

- Small entity status is hereby claimed.
 Applicant(s) requests continued examination under 37 C.F.R. § 1.114 and enclose the \$385.00 (2801) \$770.00 (1801) fee due under 37 C.F.R. § 1.17(e).
 Applicant(s) requests that any previously unentered after final amendments not be entered. Continued examination is requested based on the enclosed documents identified above.
 Applicant(s) previously submitted _____

on _____, for which continued examination is requested.

- Applicant(s) requests suspension of action by the Office until at least _____ which does not exceed three months from the filing of this RCE, in accordance with 37 C.F.R. § 1.103(c). The required fee under 37 C.F.R. § 1.17(i) is enclosed.
 A Request for Entry and Consideration of Submission under 37 C.F.R. § 1.129(a) (1809/2809) is also enclosed.

BURNS DOANE
BURNS DOANE SWECKER & MATHS LLP
INTELLECTUAL PROPERTY LAW

AMENDMENT/REPLY TRANSMITTAL LETTER

DOCKETED

filed

RT

Page 1 of 2
(01/04)

Attorney Docket No. 026350-060
 Application No. 09/902,633

- No additional claim fee is required.
 An additional claim fee is required, and is calculated as shown below.

| AMENDED CLAIMS | | | | | |
|--|---------------|---|--------------|--------------------|----------------|
| | No. of Claims | Highest No. of Claims Previously Paid For | Extra Claims | Rate | Additional Fee |
| Total Claims | 4 | MINUS 20 = | 0 | x \$18.00 (1202) = | \$ 0.00 |
| Independent Claims | 4 | MINUS 4 = | 0 | x \$86.00 (1201) = | \$ 0.00 |
| If Amendment adds multiple dependent claims, add \$290.00 (1203) | | | | | |
| Total Claim Amendment Fee | | | | | |
| <input type="checkbox"/> Small Entity Status claimed - subtract 50% of Total Claim Amendment Fee | | | | | |
| TOTAL ADDITIONAL CLAIM FEE DUE FOR THIS AMENDMENT | | | | | |
| \$ 0.00 | | | | | |

- A check in the amount of _____ is enclosed for the fee due.
 Charge _____ to Deposit Account No. 02-4800.

The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17, 1.20(d) and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

P.O. Box 1404
 Alexandria, Virginia 22313-1404
 (703) 836-6620

Date: February 17, 2004

By Jennifer Torniller
 Jennifer A. Torniller, Ph.D.
 Registration No. 50,435



AMENDMENT/REPLY TRANSMITTAL LETTER

Page 2 of 2

Patent
Attorney's Docket No. 026350-060

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)
Shigeori Takenaka) Group Art Unit: 1631
Application No.: 09/902,633) Examiner: Lori A. Clow
Filed: July 12, 2001) Confirmation No.: 2719
For: PROBE FOR DETECTING A)
HIGHLY ORDERED STRUCTURAL)
SITE OF A SINGLE STRANDED)
NUCLEIC ACID OF A GENE, AND A)
METHOD AND A DEVICE FOR)
DETECTING THE SAME)

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AMENDMENT AND REPLY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In complete response to the Office Action mailed October 20, 2003, please amend the above-identified patent application as follows:

DOCKETED
filed 2/17/04
[Signature]

VA 57302.1